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In his Official Capacity

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN MARIANA ISLANDS**

PAUL MURPHY,

Plaintiff,

v.

ANTHONY IGLECIAS MACARANAS, in  
his official capacity as Commissioner of the  
Department of Public Safety of the Northern  
Mariana Islands

Defendant.

Civil Action No. 1-24-CV-00017

**REQUEST TO SUBMIT MOTION  
WITHOUT HEARING AND RESET  
BRIEFING SCHEDULE FOR  
MOTION FOR SUMMARY  
JUDGMENT**

**Hearing Date: January 23, 2025**

**Time: 3:00 p.m.**

**Judge: Ramona V. Manglona**

Commissioner Anthony Macaranas in his official capacity as Commissioner of the Department of Public Safety, by and through his attorney of record, Chief Solicitor, J. Robert Glass, Jr., hereby requests the Court to grant Defendant's pending Motion to Dismiss without hearing and to reset the briefing schedule on Plaintiff's pending Motion for Summary Judgment until after such decision.

On November 26, 2024, Defendant filed a Motion to Dismiss the Complaint in this matter pursuant to Federal Rules of Civil Procedures 12(b)(5)&(6), based on Plaintiff's failure to properly serve Defendant and on Plaintiff's failure to state a claim upon which relief may be granted. A hearing on Defendant's motion is scheduled for January 23, 2025 at 3:00 p.m. Plaintiff failed to timely respond, as the response was due no later than fourteen (14) days after the motion was served (here, on December 10, 2024) and no opposition has been filed as of the date of this request.

1 Pursuant to LR 7.1(c)(2), Plaintiff's failure to timely file an opposition may be deemed an  
2 admission that the motion is meritorious. Defendant therefore requests that the Court deem  
3 Plaintiff's failure to file an opposition an admission that the motion is meritorious pursuant to LR  
4 7.1(c)(2), vacate the motion hearing scheduled for January 23, 2025, and grant the motion to  
5 dismiss without a hearing.

6 In addition, in the interest of judicial economy, Defendant requests that the Court issue a  
7 briefing schedule on Plaintiff's Motion for Summary Judgment to continue all deadlines for  
8 briefing and reset the associated motion hearing until after such time the Court has issued its  
9 decision on the pending Motion to Dismiss. Defendant's opposition is currently due on January 2,  
10 2025, and a hearing on the motion is currently scheduled for February 6, 2025. However, a decision  
11 by the Court granting Defendant's pending Motion to Dismiss could dispose of the case in whole  
12 or in part, and the Court's decision will directly affect whether a response to the Motion for  
13 Summary Judgment is required.

14  
15 Respectfully Submitted,

16  
17 December 20, 2024

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20 CNMI OFFICE OF THE ATTORNEY GENERAL  
21 EDWARD MANIBUSAN, ATTORNEY GENERAL

22 By: /s/ J. Robert Glass, Jr.  
23 J. Robert Glass, Jr., Bar No. F0523  
24 Chief Solicitor

25 Office of the Attorney General  
26 Commonwealth of the Northern Mariana Islands  
27 Attorneys for the Commonwealth  
28

**CERTIFICATE OF SERVICE**

I hereby certify that the above has been electronically filed on December [\_\_\_], 2024.  
Further, I certify that a true and correct copy of the foregoing motion and memorandum will be served upon Plaintiff through the ECF system.

/s/ J. Robert Glass, Jr.

J. Robert Glass, Jr., Bar No. F0523  
Chief Solicitor

Office of the Attorney General  
Commonwealth of the Northern Mariana Islands